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From: "Zurlo, Dominick, DOH" <Dominick.Zurlo@state.nm.us>
To: "Kesner, Ben., RLD" <Ben.Kesner@state.nm.us>, "Frank, Sondra, BME"
<Sondra.Frank@state.nm.us>, "Landen, Michael, DOH"
<Michael.Landen@state.nm.us>, "Williams, Mark, DOH"
<Mark.Williams@state.nm.us>
CC: "Rocke, Cathy, DOH" <Cathy.Rocke@state.nm.us>, "Hayes, Michal, DOH"
<Michal.Hayes@state.nm.us>, "Burke, Daniel, DOH" <Daniel.Burke@state.nm.us>
Subject: Statute for Naloxone with regard to the NMDOH
Thread-Topic: Statute for Naloxone with regard to the NMDOH
Thread-Index: AdDEB+0mq9mOwRXSSCe6hSk0s9MqVg==
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Good afternoon Sondra and Ben,

Thank you again for the meeting this afternoon. Here are the statutes withi=
n the Public Health Act we discussing in the meeting. The naloxone specific=
one is 24-23-2, the others listed here are the statutes which give authori=
ty to the NMDOH to carry out the provisions of the act.

Thank you very much,

Dominick

24-23-1 C, O and V NMSA 1978. Powers and authority of department.

C. investigate, control and abate the causes of disease, especially epide=
mics, sources of mortality and other conditions of public health;

....

O. maintain and enforce such rules as may be necessary to carry out the p=
rovisions of the Public Health Act and to publish the rules;

....

V. do all other things necessary to carry out its duties.

24-23-1 NMSA 1978. Authority to administer opioid antagonists; release from liability.

A. A person authorized under federal, state or local government regulations, other than a licensed health care professional permitted by law to administer an opioid antagonist, may administer an opioid antagonist to another person if:

(1) he, in good faith, believes the other person is experiencing a drug overdose ; and

(2) he acts with reasonable care in administering the drug to the other person.

B. A person who administers an opioid antagonist to another person pursuant to Subsection A of this section shall not be subject to civil liability or criminal prosecution as a result of the administration of the drug.

History: Laws 2001, ch. 228, § 1.

24-23-2 NMSA 1978. Health care professionals; release from liability. (2001)

A licensed health care professional who is permitted by law to prescribe an opioid antagonist, if acting with reasonable care, may prescribe, dispense, distribute or administer an opioid antagonist without being subject to civil liability or criminal prosecution.

History: Laws 2001, ch. 228, § 2

Dominick V. Zurlo, M.A. Educational Psychology
Hepatitis and Harm Reduction Program Manager
New Mexico Department of HEALTH (NMDOH)

Harm Reduction Website: <http://nmhealth.org/about/phd/idb/hrp/>

Searchable HIV/STD/Hepatitis/Harm Reduction

resources on the web: www.nmhivguide.org<<http://www.nmhivguide.org>>

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Thank you very much,

Dominick

24-23-1 C, O and V NMSA 1978. Powers and authority of department.

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0. maintain and enforce such rules as may be necessary to carry out the provisions of the Public Health Act and to publish the rules;

24-23-1 C, O and V NMSA 1978. Powers and authority of department.

V. do all other things necessary to carry out its duties.

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- he, in good faith, believes the other person is experiencing a drug overdose ; and
- he acts with reasonable care in administering the drug to the other person.

B. A person who administers an opioid antagonist to another person pursuant to Subsection A of this section shall not be subject to civil liability or criminal prosecution

as a result of the administration of the drug.

History:

Laws 2001, ch. 228, § 1.

24-23-2 NMSA1978. Health care professionals; release from liability. (2001)

A licensed health care professional = who is permitted by law to prescribe an opioid antagonist, if acting with reasonable care, may prescribe, dispense, distribute or administer an opioid antagonist without being subject to civil liability or criminal prosecution.

History:

Laws 2001, ch. 228, § 2.

Dominick V. Zurlo, M.A. Educational Psychology

Hepatitis and Harm Reduction Program Manager

New Mexico Department of Health

Searchable HIV/STD/Hepatitis/Harm Reduction

resources on the web:

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